

crucial for him to develop a veterans' spousal support group and network.

Beyond meeting the needs of the veterans, Ron educated a wide variety of MJC personnel about the challenges that veterans face on a daily basis as they acclimate to civilian life. Campus staff and faculty leaned on Ron to handle the most sensitive situations. The crisis responses he managed and resolved kept students in school and, for some, kept them alive.

It was a passion for Ron to remain connected with and support the heroes of our country. Ron is survived by his wife of 40 years, Jeanette; his sister, Janice Clair; brother-in-law, Duane Clair; nephew, Eric Cole & his wife Chris; & by many loving friends and relatives.

Mr. Speaker, please join me in celebrating the life of Mr. Ron Tingley and all of his excellent contributions to veterans and the community.

## NATIONAL HISPANIC AMERICAN HERITAGE MONTH

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 18, 2014*

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate National Hispanic American Heritage Month. For more than 500 years, and long before the founding of the Republic, Hispanic Americans have made significant contributions to American life and culture.

Hispanic Heritage week was formerly proposed by President Lyndon Johnson in 1968 and was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15. It was enacted into law on August 17, 1988, on the approval of Public Law 100-402.

The day of September 15 is significant because it is the anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16 and September 18, respectively.

In honor of National Hispanic Heritage Month, we celebrate the diversity throughout the United States with a variety of festivities across the country, including parades, festivals, art exhibits, and musical performances.

Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work, and service. They have enhanced and shaped our national character with centuries-old traditions that reflect the multiethnic and multicultural customs of their communities.

Hispanics have played a vital role in the moments and movements that have shaped our country. They have enriched our culture and brought creativity and innovation to everything from sports to the sciences and from the arts to our economy.

The Hispanic community is an integral part of our country's rich history and economic well-being. According to most recent data Hispanic-owned businesses have generated \$351 billion in economic output towards the U.S. economy, along with creating 1.9 million jobs.

As the Member of Congress from the 18th Congressional District of Texas, I am honored

to represent a district rich in cultural and ethnic diversity and with a substantial Hispanic population.

Mr. Speaker, Texas is home to more than 10 million Hispanic residents and there are 938,882 Hispanics in Houston, comprising 43.4% of the city's population, the third largest number of Hispanics of any city in the nation.

The projected population of Hispanics in the United States in 2060 is estimated to be 128.8 million. According to this projection, the Hispanic population will constitute 31 percent of the nation's population by that date.

Hispanics are greatly diverse people. They come from different countries bringing different cultures, language dialects and customs Hispanics have enriched our Union and shaped our character. Hispanics are hardworking individuals that try to better themselves but never forget their upbringings.

Hispanic Americans continue to impact every sector of our country, and are leading officials in all aspects of American life. Many Hispanic Americans serve as elected officials, members of the armed forces, police officers, judges, teachers, construction workers, business men and women, artists, athletes, and civic leaders.

A source of special pride to me is that Texas is the home state of 11 Hispanic recipients of the Congressional Medal of Honor.

Many contemporary Hispanic Americans have risen to occupy some of the most important positions in the nation, including U.S. Supreme Court Justice Sonia Sotomayor; Labor Secretary Tom Perez; U.S. Senators ROBERT MENENDEZ and TED CRUZ, White House Domestic Policy Director Cecelia Munoz; and my colleagues in the Texas House delegation, Congressmen RUBÉN HINOJOSA, HENRY CUELLAR, JOAQUIN CASTRO, BETO O'ROURKE, PETE GALLEGOS, and FILEMON VELA.

As the Hispanic community continues to enrich American society, I urge all Americans to take time during this month to commemorate the contributions of Hispanic Americans in shaping the United States.

The best way to honor National Hispanic Heritage Month is to continue cherishing and respecting the ethnic and cultural diversity that strengthens and enhances our nation.

We celebrate National Hispanic Heritage Month to continually honor the achievements and contributions of Hispanic Americans to our nation.

Celebrating the National Hispanic Heritage helps keep a vivid image of all the hard work Hispanic individuals accomplished throughout history.

I encourage all Americans to join me in marking this important occasion.

## THE UNITED STATES SUPREME COURT'S DECISION IN MICHIGAN V. BAY MILLS INDIAN COMMUNITY

**HON. TOM COLE**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 18, 2014*

Mr. COLE. Mr. Speaker, on May 27, 2014 the United States Supreme Court issued its decision in *Michigan v. Bay Mills Indian Community*, wherein the Court affirmed the sovereign immunity of our Nation's federally-rec-

ognized Indian tribes for off-reservation commercial activities. Because the United States Constitution expressly and exclusively grants to Congress plenary authority over every one of our Nation's 566 federally-recognized Indian tribes, I rise to provide my views on this decision that can have serious ramifications for Indian Country.

As the Court's *Bay Mills* decision correctly observes, our nation's federally recognized Indian tribes are independent governments whose sovereignty pre-dates the United States Constitution. Our founding fathers wisely chose to subject Indian tribes solely to the authority of the United States Congress, to the exclusion of state governments, as well as the Executive and Judicial branches of the federal government. And though Indian tribes are subject to the authority of Congress, they retain all of their inherent and historic sovereign powers, except as those powers may be expressly modified by Congress. If Congress does not act to take away the sovereign powers of Indian tribes, those powers are retained.

One of the most important attributes of sovereignty possessed by Indian tribes is sovereign immunity from suit, including suits initiated by State governments. In addition to being consistently affirmed by decisions of our nation's highest court over the past two centuries, tribal sovereign immunity has been repeatedly acknowledged and confirmed in federal case precedent. Thus the Supreme Court correctly upheld the sovereign immunity of the *Bay Mills Indian Community*, and affirmed the express desire of Congress that Indian tribes retain the fullest extent of their immunity from suit.

Like state and federal governments, Indian tribes rely on their inherent sovereign powers, including immunity, to protect their treasuries and further their economies. These sovereign powers are vital for any government to provide essential programs and services for its citizens and are critical in maintaining the viability of our nation's Indian tribes, many of which are located in the most economically depressed regions of the country and have been under constant duress due to severe cutbacks in federal funding over the past several decades. For Indian tribes, sovereign immunity is necessary not only to protect the Tribes from private litigants, but also to prevent state governments from overstepping their constitutional authority and diminishing the rights and sovereignty of Indian tribes through litigation. As the Supreme Court acknowledged in the *Bay Mills Indian Community* decision, only Congress has the authority to diminish the sovereign rights of Indian tribes.

While I applaud the Supreme Court's decision affirming Tribal sovereign immunity, I am deeply disturbed by dicta in the Court's majority opinion that is not only at odds with the Constitution and prior Supreme Court precedent, but is an affront to tribal sovereignty. In its majority opinion, the Court suggests that a state may bring a suit for prospective injunctive relief against tribal officials for alleged violations of state law based on the doctrine of *Ex Parte Young*. Prior Supreme Court precedent, however, has made clear that the doctrine of *Ex Parte Young* only permits suit for prospective injunctive relief against government officials for alleged violations of federal law, not for alleged violations of state law. The basis for authorizing such suits against government officials is that federal law is supreme

to state and tribal law, and thus states and tribes cannot officially authorize their officials to violate federal law. However, state law is not supreme to tribal law under the United States Constitution. The Court's suggestion that tribal officials acting in their official capacity are subject to suit for alleged violations of state law is not only in clear conflict with prior Supreme Court precedent, but permitting such suits would eviscerate tribal sovereign immunity by giving states the ability to do indirectly what our Constitution has prohibited from them doing directly: exercising jurisdiction and authority over Indian tribal governments through litigation. Furthermore, it will undoubtedly expose tribal officials to individual liability and aggravation if they are named in baseless *Ex Parte Young* suits.

Perhaps worse, the Supreme Court's Bay Mills decision includes dicta suggesting that, if civil remedies against Indian tribes and their officials "prove[] inadequate," a state may bring criminal charges against tribal officials acting in their official capacity for alleged violations of state law. This also would enable states to trump the sovereign rights of Indian tribes by criminalizing what would otherwise be civil, government-to-government disputes between states and Indian tribes. Such action would violate the United States Constitution and the sovereign rights of Indian tribes that the Constitution guarantees. Again, the Constitution withholds from States the authority to exercise jurisdiction and power over Indian tribes, and grants that power solely to Congress. The Supreme Court does not have the power to usurp Congress' Constitutionally granted plenary power over Indian affairs by granting States the right to criminalize the exercise of tribal sovereignty where Congress has not seen fit to do so. And again, it will be tribal officials acting in their official capacity that could be exposed to potential criminal liability for doing the very same thing that all of us who are here as elected officials are trying to do—be good civil servants.

Therefore, I urge our federal and state judiciaries to treat the above-referenced dicta (and erroneous dicta at that) in the Bay Mills decision as just that: non-binding dicta, and to instead uphold the United States Constitution by deferring to Congress on all issues involving tribal-state conflicts. Where Congress has not expressly chosen to subject Indian tribes to state jurisdiction or authority, the states cannot usurp Congress' plenary and exclusive authority over Indian tribes by bringing suits or criminal charges against tribal officials for alleged violations of state law as a means of exercising control over sovereign Indian tribes.

HONORING LISA DALE MOORE

**HON. THEODORE E. DEUTCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 18, 2014*

Mr. DEUTCH. Mr. Speaker, I rise today to celebrate Lisa Dale Moore, who turns 60 years old on September 21, 2014.

Lisa Dale Moore was born on September 21, 1954 in Elizabeth, New Jersey. After graduating from George Washington University with a major in Judaic Studies, she received a Master of Social Work from the Wurzwiler School of Social Work at Yeshiva University.

Professionally, she has dedicated herself to a lifetime of promoting the Jewish people and the state of Israel through her work for the Jewish Federation and Hadassah. She has also been a mentor to my wife, Jill, who said that Lisa taught her everything she knows.

Lisa is truly an exceptional woman, and I am proud to call her a friend. I join her friends and family in wishing her good health and continued success in the coming year.

SUPPORT FOR THE URBAN  
AGRICULTURE PRODUCTION ACT

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 18, 2014*

Ms. KAPTUR. Mr. Speaker, I rise today to proudly submit the Urban Agriculture Production Act.

Across America, too many of our urban neighborhoods are absent stores where community members can purchase fresh, healthy foods. There are more than 23 million individuals residing in these so called "food desert" neighborhoods, where there are no stores within one mile in which they can buy healthy food.

Without healthy options, people are forced to eat unhealthy, processed, junk food, because that is all that is available and affordable. The Urban Agriculture Production Act is a step to correct this unacceptable trend.

I am pleased to recognize and support the growing resurgence of locally grown and produced product. I see it in my own community at the Sustainable Local Foods and Frederick Douglass Center Association Community Garden, of Toledo, Ohio.

Individuals, non-profits, and co-ops are stepping up and taking action to address the challenge of access to healthy food, by developing local food sources and community gardens to provide fresh, affordable produce throughout underserved communities. Not only are they growing product to provide to communities though, they are engaging and encouraging community participation all throughout the process. They are teaching community members how to farm.

As the ancient proverb says, "give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime." And so goes my bill, the Urban Agriculture Production Act.

The measure will encourage economic development in underserved communities by furthering the mission of local farming. It provides programmatic funds to educate people on health and wellness, supports marketing and development networks, and will inspire communities to create self sufficient food production systems to stimulate community development and healthy eating options.

All throughout our urban communities there are an abundance of unused land and space that are conveniently located to neighborhoods that are ripe for agriculture development. We must support and encourage the means to develop these plots so they become local sources of wholesome food options.

Communities that lack access to fresh produce are facing growing epidemics of obesity related diseases. We must get serious about the increased incidents of preventable

disease in these communities. Prevention is paramount, and encouraging a balanced diet while also providing access to healthier foods is an obvious solution.

Farmer's Markets, greenhouses and other community agriculture initiatives can help diversify American food production so we rely less on imports and create American jobs that cannot be outsourced. My bill will spur the development and expansion of community agriculture in nontraditional agricultural production areas across this great nation.

Mr. Speaker, urban farming and food production is a viable solution to support healthier dietary options and improve overall health of urban communities. The Urban Agriculture Production Act is the appropriate means to further develop alternative, urban agricultural production and to help meet all communities' food production needs of the future.

HONORING INDIANA REGIONAL  
MEDICAL CENTER

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 18, 2014*

Mr. SHUSTER. Mr. Speaker, I rise today in recognition of the 100th anniversary of Indiana Regional Medical Center in Indiana, Pennsylvania. It is a milestone in this wonderful community hospital's long history of providing exceptional healthcare services to the people of Indiana County and surrounding areas.

Resting in the heart of western Pennsylvania, Indiana offers the perfect blend of history, progress, industry, scenery, culture, and charm. When Indiana Regional Medical Center first welcomed the public in November of 1914, it was a 40-bed facility with 13 private rooms. From the time of its opening, the hospital's mission has been to serve the community with quality, progressive, compassionate patient care.

Over the years, this nonprofit institution has grown to become the county's sole full-service health care provider. Throughout its many renovations, expansions in services and continued advancements in knowledge and technology, Indiana Regional Medical Center has remained unchanged in its commitment to the community. It truly lives by its mission to serve the health care needs of every life it touches with compassion, respect and dignity. The hospital and its people certainly have made a difference in making Indiana County a better place to live, and they continue to have a positive impact on the region.

I wish to thank Indiana Regional Medical Center's dedicated staff, Board of Directors and CEO Stephen Wolfe for their commitment to quality healthcare. I congratulate them and the residents of Indiana County and surrounding communities on this important anniversary for their local hospital. I'm proud of having such an outstanding facility in the 9th District, and wish Indiana Regional Medical Center continued success in the next one hundred years and beyond.